

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:	§
Professional Fee Matters Concerning	§ Chapter 11
the Jackson Walker Law Firm	§ Case No. 23-00645 (EVR)
	§
	§

**EMERGENCY MOTION OF JACKSON WALKER LLP FOR ENTRY OF AN ORDER
(I) ESTABLISHING DEADLINES WITH RESPECT TO THE JUNE 27, 2024 ORDER
AND (II) GRANTING RELATED RELIEF**

[Relates to Dkt. No. 141]

**EMERGENCY RELIEF HAS BEEN REQUESTED. RELIEF IS
REQUESTED NOT LATER THAN 5:00 PM (PREVAILING CENTRAL
TIME) ON JULY 3, 2024.**

**IF YOU OBJECT TO THE RELIEF REQUESTED OR YOU BELIEVE
THAT EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU
MUST APPEAR AT THE HEARING IF ONE IS SET, OR FILE A
WRITTEN RESPONSE PRIOR TO THE DATE THAT RELIEF IS
REQUESTED IN THE PRECEDING PARAGRAPH. OTHERWISE, THE
COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT
THE RELIEF REQUESTED.**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Jackson Walker LLP (“JW”) files this *Emergency Motion for Entry of an Order (I) Establishing Deadlines with Respect to the June 27, 2024 Order and (II) Granting Related Relief* (the “Motion”) requesting that this Court establish deadlines with respect to the Order entered by this Court on June 27, 2024 [Dkt. No. 141] (the “Order”). In support of this Motion, JW respectfully states as follows:

1. On June 25, 2024, in accordance with the discovery schedule set by this Court’s *Scheduling Order in the Miscellaneous Proceeding* [Dkt. No. 57], JW served its *Second Amended Notice of Deposition for David R. Jones* and related Subpoena (the “Notice”) in accordance with

the Guide to Judiciary Policy, Volume 20, Section 850 (the “Judiciary Regulations”), which governs requests for testimony of former federal judicial personnel, including former Judge Jones.

2. On June 26, 2024, former Judge Jones requested guidance from this Court under the Judiciary Regulations regarding the Notice. In response to the Notice, this Court issued the Order, which among other things provided:

- David R. Jones is granted leave to file a motion with the Clerk of Court pursuant to Guide to Judiciary Policy, Volume 20, Section 850(b). ¶ 2.
- Jackson Walker, LLP is invited to file a response with the Clerk of Court pursuant to Guide to Judiciary Policy, Volume 20, Section 850(c). *Id.* at ¶ 3.

The Order, however, does not establish any deadlines with respect to paragraphs 2 and 3.

3. In accordance with the Judiciary Regulations, JW noticed the deposition of former Judge Jones at least fifteen (15) working days after serving the Notice on former Judge Jones. Due to the ongoing discovery process and the importance of former Judge Jones’s testimony to the claims and defenses in this case,¹ it is necessary to set specific deadlines. Without clearly defined deadlines, there remains uncertainty about when, or even if, former Judge Jones will file a motion to quash.² Establishing these deadlines will ensure that JW has sufficient time to conduct the deposition of former Judge Jones to the extent permitted to testify.

4. Accordingly, JW requests that the Court enter an order setting deadlines with respect to the June 27, 2024 Order, requiring former Judge Jones to file any motion to quash by July 8, 2024, and JW to respond to any such motion to quash by July 11, 2024.

¹ In accordance with the Judiciary Regulations, the Notice sets forth an explanation of the nature of the testimony sought, the relevance of the testimony sought to the legal proceedings, and the reasons why the testimony sought is not readily available from other sources or by other means. *See* Judicial Regulations § 830(a).

² According to the Judiciary Regulations, former Judge Jones is not permitted to testify until the determining officer (in this case, Chief Judge Rodriguez) approves JW’s request for testimony of former Judge Jones.

5. JW respectfully requests emergency consideration of this Motion in accordance with Bankruptcy Local Rule 9013-1(i). An emergency exists due to the ongoing discovery process, the lack of any deadlines established in respect of the Court's prior Order, and the importance of former Judge Jones's deposition to these proceedings.

CONCLUSION

Based on the above, JW respectfully requests that the Court grant this Motion and set July 8, 2024 as the deadline for former Judge Jones to file a Motion to Quash, if any, and July 11, 2024 as the deadline for JW to file a response to any Motion to Quash.

[Reminder of Page Intentionally Left Blank]

Dated: July 1, 2024

Respectfully submitted,

NORTON ROSE FULBRIGHT US LLP

/s/ Jason L. Boland

Jason L. Boland (SBT 24040542)
William Greendyke (SBT 08390450)
Julie Harrison (SBT 24092434)
Maria Mokrzycka (SBT 24119994)
1550 Lamar Street, Suite 2000
Houston, Texas 77010-3095
Telephone: (713) 651-5151
jason.boland@nortonrosefulbright.com
william.greendyke@nortonrosefulbright.com
julie.harrison@nortonrosefulbright.com
maria.mokrzycka@nortonrosefulbright.com

Paul Trahan (SBT 24003075)
Emily Wolf (SBT 24106595)
98 San Jacinto Blvd., Suite 1100
Austin, Texas 78701
Telephone: (512) 474-5201
Email: Paul.trahan@nortonrosefulbright.com
Email: emily.wolf@nortonrosefulbright.com

-and-

RUSTY HARDIN & ASSOCIATES, LLP

Russell Hardin, Jr. (SBT 08972800)
Leah M. Graham (SBT 24073454)
Jennifer E. Brevorka (SBT 24082727)
Emily Smith (SBT 24083876)
5 Houston Center
1401 McKinney, Suite 2250
Houston, Texas 77010
Telephone: (713) 652-9000
Email: rhardin@rustyhardin.com
Email: lgraham@rustyhardin.com
Email: jbrevorka@rustyhardin.com
Email: esmith@rustyhardin.com

Counsel for Jackson Walker LLP

CERTIFICATE OF ACCURACY

I hereby certify that the facts and circumstances described in the above pleading giving rise to the emergency request for relief are true and correct to the best of my knowledge, information, and belief.

/s/ Jason L. Boland

Jason L. Boland

CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2024, I caused a copy of the foregoing Motion to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas on all parties registered to receive such service, and by e-mail to counsel for David R. Jones: benjaminfinestone@quinnmanuel.com and by email to counsel for the United States Trustee as set forth below:

Laura Steele (Laura.Steele@usdoj.gov)

Pat S. Layng (Pat.S.Layng@usdoj.gov)

Millie Aponte Sall (Millie.sall@usdoj.gov)

Aubrey L. Thomas (Aubrey.thomas@usdoj.gov)

Vianey Garza (Vianey.Garza@usdoj.gov)

Alicia Barcomb (Alicia.Barcomb@usdoj.gov)

/s/ Jason L. Boland

Jason L. Boland